



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

McDaniel et al.

Art Unit: 1713

Serial No.: 10/751,619

Examiner: Lu, C. Caixia

Filed: January 5, 2004

Docket No.: C51757-0623

For: COMPOSITIONS THAT CAN PRODUCE POLYMERS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313

Sir:

The citation of information on the the attached Forms PTO/SB/08A and Form PTO/SB/08B. "Information Disclosure Statement By Applicant" is made pursuant to 37 C.F.R. §§ 1.97 and 1.98. Copies of items are enclosed unless stated otherwise hereinbelow.

Purasant to 37 C.F.R. §1.98(d), inasmuch as this application relies on prior applications Serial No. 09/081,480 filed May 18, 1998 (now U.S. Patent No. 6,165,929, issued on December 26, 2000) ; Serial No. 09/584,438 filed May 31, 2000 (now U.S. Patent No. 6,531,550, issued on March 11, 2003); and Serial No.10/357,212 filed February 4, 2003 (now abandoned) for an earlier filing date under 35 U.S.C. §120, no copy of any patent, publication or other information previously cited by or submitted to the Office in such prior application is being provided herewith. In accordance with 37 CFR 1.97(c) and 1.17(p), Commissioner is hereby authorized

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on October 27, 2004.
Sharon R. Dunn

Sharon R. Dunn

11/01/2004 RHEBRAFT 00000083 090528 10751619

01 FC:1805 180.00 DA

to charge Deposit Account No. 09-0528 the required fee amount of \$180.00 representing the late filing fee for filing this Information Disclosure Statement.

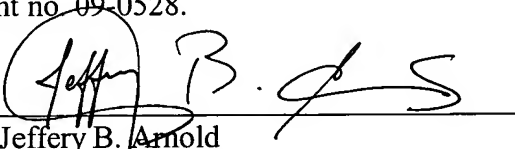
The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of the information, and to form independent opinions as to their significance.

It is respectfully requested that the Examiner initial and return copies of the enclosed Forms PTO/SB/08A and Forms PTO/SB/08B and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

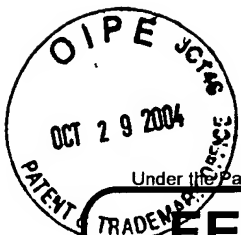
The citation of this information does not constitute an admission that any of the materials are available as a reference or of priority, or a waiver of any right applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to account no 09-0528.

Date: October 27, 2004


Jeffery B. Arnold
Attorney for Applicant
Reg. No.: 39,540

Customer No.: 35395
Womble Carlyle Sandridge & Rice, PLLC
P.O. Box 7037
Atlanta, GA 30357-0037
(404) 872-7000 (Telephone)
(404) 888-7490 (Facsimile)
Docket: **C51757-0623**



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 180.00)

Complete if Known

Application Number	10/751,619
Filing Date	January 5, 2004
First Named Inventor	McDaniel, Max P.
Examiner Name	Lu, C Caixia
Art Unit	1713
Attorney Docket No.	C51757-0623

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

09-0528

Womble Carlyle Sandridge & Rice PLLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims		-20* =		
Independent Claims		-3** =		
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Jeffery B. Arnold	Registration No. (Attorney/Agent)	39,540	Telephone	(404)872-7000
Signature		Date	October 27, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	10/751,619
Filing Date	January 5, 2004
First Named Inventor	McDaniel, Max P.
Art Unit	1713
Examiner Name	Lu, C Caixia
Attorney Docket Number	C51757-0623

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 4,077,904	03/07/1978	Noshay et al.	
	AB	US- 4,101,445	07/18/1978	Levine et al.	
	AC	US- 4,279,780	07/21/1981	Dombro	
	AD	US- 4,426,243	10/09/1984	Dombro	
	AE	US- 4,526,942	07/02/1985	Chester et al.	
	AF	US- 4,657,998	04/14/1987	Malpass,	
	AG	US- 4,659,685	04/21/1987	Coleman, III et al.	
	AH	US- 4,788,171	11/29/1988	Klendworth	
	AI	US- 4,803,253	02/07/1989	McDaniel et al.	
	AJ	US- 4,969,522	11/13/1990	Whitehurst et al.	
	AK	US- 5,001,204	03/19/1991	Klendworth et al.	
	AL	US- 5,183,868	02/02/1993	Nordquest	
	AM	US- 5,321,105	06/14/1994	Rekers et al.	
	AN	US- 5,332,707	07/26/1994	Karayannis et al.	
	AO	US- 5,401,820	03/28/1995	McDaniel et al.	
	AP	US- 5,439,995	08/08/1995	Bailly et al.	
	AQ	US- 5,444,134	08/22/1995	Matsumoto	
	AR	US- 5,461,127	08/24/1995	Naganuma et al.	
	AS	US- 5,468,702	11/21/1995	Jejelow	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2

of 4

Complete if Known

Application Number	10/751,619
Filing Date	January 5, 2004
First Named Inventor	McDaniel, Max P.
Art Unit	1713
Examiner Name	Lu, C Caixia
Attorney Docket Number	C51757-0623

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	BA	US- 5,496,782	03/05/1996	Zandona	
	BB	US- 5,527,867	06/18/1996	Bergmeister	
	BC	US- 5,556,893	09/17/1996	Costa et al.	
	BD	US- 5,612,271	03/18/1997	Zandona	
	BE	US- 5,643,847	07/01/1997	Walzner	
	BF	US- 5,648,439	07/15/1997	Bergmeister et al.	
	BG	US- 5,670,580	09/23/1997	Tazaki et al.	
	BH	US- 5,861,352	01/19/1999	Gila et al.	
	BI	US- 5,670,580	09/1997	Tazaki et al.	
	BJ	US- 6,165,929	12/26/2000	McDaniel et al.	
	BK	US- 6,531,550	03/11/2003	McDaniel et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

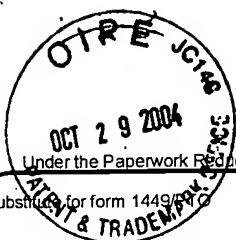
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449 (Rev. 10/01)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/751,619
Filing Date	January 5, 2004
First Named Inventor	McDaniel, Max P.
Art Unit	1713
Examiner Name	Lu, C Caixia
Attorney Docket Number	C51757-0623

Sheet	3	of	4
-------	---	----	---

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	"A Crystallizable Orgnometallic Complex Containing Titanium and Aluminum", J. Amer. Chem. Soc. Vol. 79, No. 11, pp. 2975-2976 (1957)	
	CB	"BIS-(Cyclopentadienyl)-Titanium Dichloride-Alkylaluminum Complexes as Catalysts for the Polymerization of Ethylene", J. Amer. Chem. Soc., Vol. 79, No. 18, pp 5072-5073 (1957)	
	CC	Olefin Copolymerization with Metallocene Catalysts, III Supported Metallocene/Methyalauminoxane Catalyst for Olefin Copolymerization", J. Poly. Science, Part A, Polymer Chem., Vol. 29, pp. 1603 (1991)	
	CD	Polymerization of Propene with Catalyst Systems Composed of Al ₂ O ₃ -OR MGCL ₂ -Supported ET(INDH ₄) ₂ ZRCL ₂ and ALR ₃ (R=CH ₃ , C ₂ H ₅)" Makromol. Chem., Rapid Comm. 12, pp. 367-372 (1991)	
	CE	"Surface-Bound Metal Hydrocarbyls" Organometallic Connections Between Accounts of Chemical Research, Vol. 25, No. 2, pp. 57 (1992)	
	CF	Polymerization of Propylene Using Supported, Chiral, Ansa-Metallocene Macromolecules, Vol. 25, pp. 1780-1785 (1992)	
	CG	Polymerization of Propylene With The Hetrogeneous Catalyst System Mackromol. Chem., Rapid Comm. 13, pp. 221-224 (1994)	
	CH	"High Melting Polypropenes by Silica Supported Zirconocene Catalysts" Makromol. Chem., Rapid Comm. 14, pp. 239-243 (1994)	
	CI	"Polymerization of Propene with Zirconocene-Containing Supported Catalysts Makromol. Chem. 194, pp. 1745-1755 (1993)	
	CJ	Highly Isospecific SIO 2-Supported Zirconocene Catalyst Activated by Ordinary" Macromol. Chem., Rapid Comm. 15, pp. 139-142 (1994)	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/751,619
Filing Date	January 5, 2004
First Named Inventor	McDaniel, Max P.
Art Unit	1713
Examiner Name	Lu, C Caixia
Attorney Docket Number	C51757-0623

Sheet	4	of	4
-------	---	----	---

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	DA	"Silica-Supported Metallocenes: Stereochemical Comparison Between Homogenous Makromol. Chem., Rapid Comm. 16, pp. 581-590 (1995)	
	DB	"Metallocenes for Polymer Catalysis" Advances in Polymer Science, Vol. 127, pp. 143 (1997)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.